THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.27245 OF 2005

DATED:22.12.2005

Between:

S. Srinivas Reddy and another

…Petitioners

And

The District Collector, R.R.District at Hyderabad

and another

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.27245 OF 2005

ORDER:

The two petitioners claim to be owners of land admeasuring Ac.11.08 gts. in S.No.45 of Veerapally Village, Kulkacherla Mandal, Ranga Reddy District. The respondents acquired an extent of Ac.0.38 gts. in the said survey number for construction of houses to persons belonging to weaker sections. It is the grievance of the petitioners that in the guise of taking an extent of Ac.0.38 gts. the respondents are trying to interfere with the petitioners' land with paddy crop though such land was not acquired. Therefore, the petitioners approached the District Collector by making two representations on 26.11.2005 and 6.12.2005, in vain. Therefore, he seeks a Writ of Mandamus *inter alia* directing the respondents not to dispossess the petitioners from the land in S.No.45 except Ac.0.38 gts., which was acquired for the purpose of construction of houses for weaker sections.

The allegation that the petitioners approached the District Collector for redressal is proved by filing copies of representations. Be that as it is, learned Assistant Government Pleader for Revenue (General), after obtaining instructions submits that the respondents are not at all interfering with the petitioners' land in S.No.45 and that an extent of Ac.0.38 gts. was already taken over pursuant to award passed in the land acquisition proceedings. In that view of the matter, instead of keeping the matter pending, the Writ Petition is disposed of observing that the respondents are entitled to utilize only Ac.0.38 gts. of the land which was acquired as per the award and they shall not be entitled to interfere with other portion of the land except in accordance with law.

The Writ Petition with the above observations is accordingly disposed of.

_____

22.12.2005 (V.V.S.RAO, J)

bnr

Note:Issue CC by 26.12.2005.

(B.O)

bnr